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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

STARLING et al.

Serial No.: 10/030,578

Filed: April 29, 2002

Atty. File No.: 4141-2-PUS

For: "CALCIUM-CONTAINING
STRUCTURES AND METHODS OF
MAKING AND USING THE SAME"**Mail Stop: Amendments**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

-) Group Art Unit: 1651
-)
-) Examiner: DAVIS, Ruth A.
-)
-) Confirmation No.: 9225
-)

**RESPONSE TO RESTRICTION
REQUIREMENT**

-) "EXPRESS MAIL" MAILING LABEL NUMBER: EV493476232US
-) DATE OF DEPOSIT: January 13, 2005
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PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

TYPED OR PRINTED NAME: Chasity C. RossumSIGNATURE: Chasity C. Rossum

Dear Sir:

This Response to Restriction Requirement is sent in response to the Restriction Requirement mailed December 14, 2004, from the U.S. Patent and Trademark Office. No fees are believed to be due in connection with the filing of this Response to Restriction Requirement. In the event that any fees are due, please debit Deposit Account 19-1970.

Claims 1-43 are pending in this application and the Examiner has restricted the claims into 4 groups as follows:

Group I, Claims 1-14, drawn to a calcium composition;

Group II, Claims 15-26, drawn to a calcium composition;

Group III, Claims 27-32, drawn to a method for delivering nitric oxide;

Group IV, Claims 33-43, drawn to a method for making a calcium containing substrate.

Applicants hereby elect Group I (Claims 1-14) for further prosecution in this application, without traverse.

If the elected claims of Group I are found allowable, Applicants reserve their right to amend Claims 33-43 of Group IV to depend from or be commensurate in scope with the product claims of Group I, and to request that such Claims 33-43 that depend from or otherwise include all the

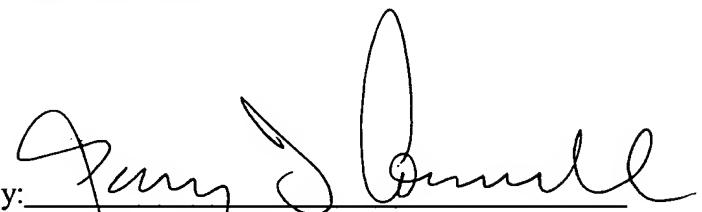
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"Response to Restriction Requirement"

limitations of the allowable product be rejoined and examined for patentability. In re Brouwer, 37 USPQ2d 1663 (Fed. Cir. 1996); In re Ochiai, 37 USPQ2d 1127 (Fed. Cir. 1995).

Respectfully submitted,

SHERIDAN ROSS P.C.

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Date: January 13, 2005
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